



4. In the transportation industry, receipt, possession and delivery of freight are all integrated parts of the transportation or shipping. In other words, you cannot transport or ship freight if you do not receive it, possess it while the freight is being transported, and deliver it to the agreed destination.

5. RIL provided delivery services for All Of Our Butts to various locations throughout the United States.

6. RIL is not involved in the taking of orders for All Of Our Butts and is hired by All Of Our Butts only as a delivery & transportation service.

7. The freight that RIL delivers for All Of Our Butts consists of individual boxes. When these individual boxes are obtained from All Of Our Butts, the boxes are sealed and already contain the final recipient's address. RIL does not pack or address the boxes.

8. RIL does not open the boxes or examine the contents of the boxes. As such, RIL does not have knowledge of the exact contents of the boxes.

9. The only knowledge that RIL has regarding the contents is a general descriptive category of the freight provided by All Of Our Butts; the contents of the individual boxes are not specifically identified. The general descriptive category is used on the bill of lading or freight bill that accompanies each shipment of boxes.

10. The bill of lading or freight bill for each shipment of boxes includes the quantity of boxes shipped, the source of the shipment and the destination of the shipment.

11. Shipments from All Of Our Butts follow the following process. The boxes are picked up from All Of Our Butts and trucked by RIL, under a freight bill, to RIL's facility in Tonawanda, New York. RIL sorts the boxes by zip code. The boxes are then sent via another common carrier (also under a bill of lading or freight bill) to a regional distribution center,

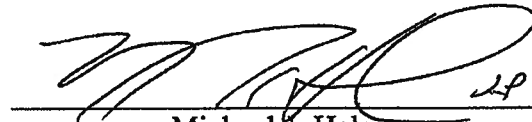
depending on what part of the country the end recipient is located. From the regional distribution center, the packages are again sorted and delivered by a local delivery service (still under a bill of lading or freight bill) to the final recipient.

12. At all times that RIL is in possession of the boxes during the transportation process, the boxes are subject to a bill of lading or freight bill.

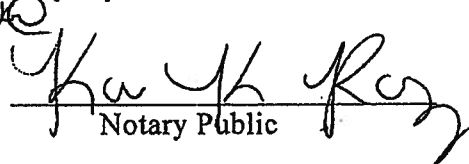
13. As set forth in the amended complaint, the local delivery service that was used for deliveries of packages for All Of Our Butts to addresses in the City of New York is LaserShip. As with all other shipments of such packages, these deliveries are made under a bill of lading or freight bill.

14. RIL has not shipped any packages for All Of Our Butts to New York City since early October, 2012.

15. Until this matter is resolved, RIL will not ship any packages for All Of Our Butts to New York City. The City of New York has been informed of this policy.

  
Michael J. Hale  
Vice-President,  
Regional Integrated Logistics, Inc.

Sworn to before me on the  
30<sup>th</sup> day of November, 2012

  
Notary Public

KARA K ROZAK  
Lic. #01R08255888  
Notary Public-State of New York  
Qualified in Erie County  
My Commission Expires FEBRUARY 08, 2016